

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MELTON SUMMERVILLE,)	
)	
Plaintiff,)	
)	
v.)	1:06CV00719
)	
AMERICAN FEDERATION OF STATE,)	
COUNTY AND MUNICIPAL EMPLOYEES)	
AND LOCAL 77,)	
)	
Defendants.)	

ORDER OF INJUNCTION

OSTEEN, District Judge

Plaintiff Melton Summerville has filed numerous proceedings in this court against the same Defendants, American Federation of State, County and Municipal Employees and Local 77, with the same allegations in each proceeding. The court has dismissed each proceeding. The claims are frivolous and vexatious.

The court gave Plaintiff appropriate notice that it would suspend issuing an injunction against Plaintiff and entering an order granting Defendants' motion to dismiss only on the condition that Plaintiff obtain counsel to explain how Plaintiff's claims differed from the ones already filed and dismissed. Plaintiff has not submitted to the court any proof of obtaining counsel.¹ The court now finds that the interests of

¹ Plaintiff filed a statement with the court claiming that
(continued...)

justice would be best served by the entry of a pre-filing injunction.

IT IS HEREBY ORDERED that Plaintiff, or anyone acting on his behalf, shall not initiate any litigation against American Federation of State, County and Municipal Employees and Local 77 without first procuring the written permission to proceed from a district court judge or magistrate judge of this court.

IT IS FURTHER ORDERED that the clerk of this court shall not file for, or on behalf of, Plaintiff any new litigation which is subject to the above-mentioned injunction unless or until judicial approval has been obtained.

IT IS FURTHER ORDERED that the injunction shall continue to exist until further orders of this court. Nothing herein, however, shall prevent Plaintiff from appealing the present matter.

This the 2nd day of April 2007.


United States District Judge

¹(...continued)
he obtained counsel. This statement did not identify counsel's name and no attorney has entered an appearance for Mr. Summerville. In response, the court issued an order denying a hearing to Mr. Summerville, unless his attorney provided the court with a notice of appearance. No such notice has been submitted with the court. The court concludes that Mr. Summerville has not retained counsel.